

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PACIFIC LANDSCAPE MANAGEMENT,
INC., a Washington corporation,

Plaintiff,

v.

PACIFIC LANDSCAPE MANAGEMENT,
LLC, an Oregon limited liability company,

Defendant.

No. 2:23-cv-01005-JHC

**STIPULATED MOTION TO
EXTEND DATES AND
SCHEDULING ORDER**

**NOTE ON MOTION
CALENDAR:
June 24, 2024**

I. STIPULATED MOTION

Plaintiff Pacific Landscape Management, Inc. (“Plaintiff”) and Defendant Pacific Landscape Management, LLC (“Defendant”) (collectively the “Parties”), by and through their undersigned counsel, hereby stipulate and agree to a modification of the existing case schedule as follows:

The Parties have diligently pursued the claims and defenses in this matter. However, for reasons outside the scope of this Motion, Defendant has recently engaged new counsel at the firm of Christensen O’Connor Johnson Kindness PLLC and new attorneys John Denkenberger and John Whitaker have appeared on behalf of Defendant on June 4, 2024. In addition, a new counterclaim was recently added to this matter.

Defendant’s counsel now requires some additional time to fully review the materials that have been exchanged as well as to employ experts to review those materials.

The Parties have stipulated and agreed to an extension of six weeks to the currently scheduled dates reflected in the Minute Order Setting Trial Date and Related Dates entered on December 4, 2023 (Dkt. No. 15 (“Scheduling Order”)).

Specifically, the Parties have stipulated to extending the deadline for exchange of expert reports **from** the currently scheduled deadline of July 1, 2024 **to** the proposed deadline of August 12, 2024. In addition, the Parties have further conferred and agreed upon the following new proposed case schedule to allow for the diligent prosecution of all claims and defenses in this case.

The Parties propose that the Court extend the current deadlines as set forth in the following table which shows the current deadline and the proposed new deadline:

<u>Event</u>	<u>Current</u>	<u>Proposed</u>
Deadline for amended pleadings	July 1, 2024	August 12, 2024
Disclosure of expert testimony under FRCP 26(a)(2)	July 1, 2024	August 12, 2024
All motions related to discovery must be filed by	July 31, 2024	September 11, 2024
Discovery completed by	August 30, 2024	October 11, 2024
All dispositive motions and motions challenging expert witness testimony must be filed by	September 30, 2024	November 11, 2024
Settlement conference held no later than	November 29, 2024	September 2, 2024*
All motions <i>in limine</i> must be filed by All motions <i>in limine</i> shall be filed as one motion.	December 16, 2024	January 27, 2025
Agreed pretrial order due	January 6, 2024	February 17, 2025

<u>Event</u>	<u>Current</u>	<u>Proposed</u>
Deposition Designations must be submitted to the court by	January 8, 2024	February 19, 2025
Pretrial Conference	January 13, 2025	February 24, 2025
Trial briefs, proposed voir dire, jury instructions	January 21, 2024	March 4, 2025
Trial Date	January 27, 2025	March 10, 2025 or at the Court's convenience

*Note that the Parties have accelerated the deadline for the mandatory Settlement Conference in an effort to enhance the possibility of a settlement of this matter prior to the need to burden the Court or the Parties with dispositive motions.

SO STIPULATED AND AGREED this 24th day of June 2024.

ELLIS, LI & McKINSTRY PLLC

**CHRISTENSEN O'CONNOR JOHNSON
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DATED this 24th day of June, 2024.

John H. Chun

John H. Chun
United States District Judge